

Message Text

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SUBJECT: HUMAN RIGHTS IN TURKEY

REF: (A) STATE 167402; (B) ANKARA A-36, MARCH 10, 1975

1. THE PRESENT STATUS OF HUMAN RIGHTS IN TURKEY REMAINS AS STATED IN OUR MOST RECENT ASSESSMENT (REF B). THERE IS NO RPT NO EVIDENCE OF A "CONSISTENT PATTERN OF GROSS VIOLATIONS OF RECOGNIZED HUMAN RIGHTS" IN TURKEY. THE FOLLOWING OBSERVATIONS ARE KEYED TO SPECIFIC QUESTIONS IN REFTEL:

A. (REFTEL PARA 2 A)

(1) THE MAY 1974 AMNESTY LAW, AS BROADENED IN ITS SCOPE BY SUBSEQUENT CONSTITUTIONAL COURT DECISIONS, HAS RESULTED IN THE RELEASE OF VIRTUALLY ALL INDIVIDUALS IMPRISONED FOR "POLITICAL" OFFENSES COMMITTED PRIOR TO FEBRUARY 1974. THE COURT RULINGS HAVE REDUCED BY 12 YEARS THE LENGTH OF IMPRISONMENT OF ANY INDIVIDUAL SENTENCED TO A LONGER TERM AND HAVE BROUGHT ABOUT THE RELEASE OF ALL INDIVIDUALS, REGARDLESS OF LIMITED OFFICIAL USE

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CRIME, SERVING SHORTER SENTENCES. THE CHARGES AGAINST

INDIVIDUALS ARRESTED FOR CRIMES COMMITTED PRIOR TO FEBRUARY 1974, BUT NOT YET CONVICTED OR SENTENCED, ARE GENERALLY DROPPED IF THE PROSPECTIVE SENTENCE IS FOR LESS THAN 12 YEARS.

(2) SINCE JULY 1974, MARTIAL LAW HAS EXISTED IN FOUR OF TURKEY'S 67 PROVINCES. (IT IS SCHEDULED TO EXPIRE AUGUST 5.) ALTHOUGH MARTIAL LAW WAS IMPOSED ORIGINALLY AS A PRECAUTION IN CONNECTION WITH THE CYPRUS CRISIS, ITS ACTUAL APPLICATION HAS OCCURRED MOSTLY IN RESPONSE TO VIOLENT CLASHES BETWEEN RIGHTIST AND LEFTIST STUDENTS. FOR THE MOST PART, THE GOT HAS BEEN IMPARTIAL IN ITS LEGAL HANDLING OF THESE CLASHES.

(3) WHILE TURKISH JAILS ARE HARDLY PLEASANT PLACES, THERE IS NO EVIDENCE TO SUGGEST A PATTERN OF TORTURE, CRUEL OR INHUMAN TREATMENT, DETENTION WITHOUT CHARGES OR OTHER DENIALS OF FUNDAMENTAL RIGHTS AND LIBERTIES IN TURKEY.

B. (REFTEL PARA 2 B) - THERE IS NO RPT NO EVIDENCE OF ANY CURRENT POLICIES OR PRACTICES IN TURKEY INVOLVING ARBITRARY DEPRIVATION OF PROPERTY.

C. (REFTEL PARA 2 C AND 2 D) - THE U.S. HAS NOT RPT NOT BEEN PROMOTING A GREATER OBSERVANCE OF HUMAN RIGHTS IN TURKEY, EXCEPT THAT WE HAVE HAD OCCASION TO PROTEST EXCESSIVELY ROUGH TREATMENT OF AMERICAN CITIZENS UNDER ARREST DURING INTERROGATION. IN VIEW OF THE CURRENT STATUS OF HUMAN RIGHTS IN TURKEY, WE HAVE NP RPT NO RECOMMENDATIONS FOR U.S. ACTION IN THIS FIELD.

D. (REFTEL PARA 2 E) - THE EFFECTS OF A CUTOFF OF SECURITY ASSISTANCE HAVE BEEN DISCUSSED AT LENGTH IN OTHER REPORTING FROM THIS EMBASSY AND HAVE BEEN EMPHASIZED IN RECENT STATEMENTS BY THE PRESIDENT AND THE SECRETARY.
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